

REMARKS

Claim Rejections

Claims 1-5, 7-8, 10-11 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee (U.S. 2003/0187529) in view of Knox (U.S. 6,525,750). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee and Knox, as stated above, and further in view of Chang (U.S. 4,839,837). Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee and Knox, as stated above, and further in view of Furnas et al. (U.S. 2002/0058862). Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee and Knox, as stated above, and further in view of Sen et al. (U.S. 6,466,544 B1).

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

Claim Amendments

By this Amendment, Applicant has canceled claims 1, 3 and 13, has amended claims 2, 4-6, 11 and 12 and has added new claim 14 to this application. It is believed that the amended claims and new claim 14 specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a mobile teaching aid with an audiovisual amusement device comprising: a computer main unit (10) having a casing (11); a projector (20) located in the casing and communicating with the computer main unit, the projector projecting an image through a casing hole in the casing; a cable TV socket (112) located on an exterior of the casing and connected to the computer main unit, the cable TV socket and the casing hole are located on different sides of the casing; and a handwriting input device (60) located outside the casing and communicating with the computer main unit.

The primary reference to Lee teaches a computer audio system including a computer system (10) with a housing (12), a disc play (14), an input device (16) and a pointing device (18). Lee also includes a receiver (30) and states on page 3, lines 7-10:

The receiver 30 is also connected to sources 34 to receive remote signals such as various types of satellite television, satellite radio, cable television, off-air television or radio, or the like.

On page 3 of the outstanding Office Action, the Examiner admits that "Lee fails to explicitly teach that his projector is mounted in the casing as required by claim 1." On page 4 of the outstanding Office Action, the Examiner admits that Lee "fails to teach a handle attached to a top of a computer casing as required by claim 6" and "fails to teach that his digital camera is provided with a light as required by claim 8 and that his digital camera has a microscopic lens as required by claim 9."

Lee does not teach a cable TV socket located on an exterior thereof and connected to the computer main unit; the cable TV socket and the casing hole are located on different sides of the casing; nor does Lee teach the wireless net communication device is connected to a wireless communication system selected from a group of systems consisting of GSM, GPRS, 3G, CDMA, and PHS.

The secondary reference to Knox discloses a projection display for computers including a computer (40) with a base housing (44), a microprocessor (43), a keyboard (47), a lid (45), and a projection engine (42).

On page 3 of the outstanding Office Action, the Examiner admits that "Knox fails to explicitly teach that his projector is mounted in the casing as required by claim 1." On page 4 of the outstanding Office Action, the Examiner admits that Knox "fails to teach a handle attached to a top of a computer casing as required by claim 6" and "fails to teach that his digital camera is provided with a light as required by claim 8 and that his digital camera has a microscopic lens as required by claim 9."

Knox does not teach a cable TV socket located on an exterior thereof and connected to the computer main unit; the cable TV socket and the casing hole are located on different sides of the casing; a handwriting input device located outside the casing and communicating with the computer main unit; a wireless net

communication device is connected to the computer main unit; the computer main unit and the handwriting input device are provided with a transmission interface respectively; nor does Knox teach the wireless net communication device is connected to a wireless communication system selected from a group of systems consisting of GSM, GPRS, 3G, CDMA, and PHS.

The secondary reference to Chang discloses a three layered laptop computer including a keyboard layer (12), a display layer (14), and a printer layer (16). The display layer includes a handle (78).

Chang does not teach a projector; a cable TV socket located on an exterior thereof and connected to the computer main unit; the cable TV socket and the casing hole are located on different sides of the casing; a handwriting input device located outside the casing and communicating with the computer main unit; a wireless net communication device is connected to the computer main unit; the computer main unit and the handwriting input device are provided with a transmission interface respectively; nor does Chang teach the wireless net communication device is connected to a wireless communication system selected from a group of systems consisting of GSM, GPRS, 3G, CDMA, and PHS.

The secondary reference to Sen et al. discloses a GPRS MAC procedure to support real-time services including a computer (24) connected to a wireless telephone (26), and a base station (12) communicating with the wireless telephone and having a GPRS network (20).

Sen et al. do not teach a projector; a cable TV socket located on an exterior thereof and connected to the computer main unit; the cable TV socket and the casing hole are located on different sides of the casing; a handwriting input device located outside the casing and communicating with the computer main unit; nor do Sen et al. teach the computer main unit and the handwriting input device are provided with a transmission interface respectively.

The secondary reference to Furnas et al. discloses an apparatus for diagnosing allergenic microorganisms including a microscope stand (12) with a digital camera (14) remotely connected to a computer (40).

Furnas et al. do not teach a projector; a cable TV socket located on an exterior thereof and connected to the computer main unit; the cable TV socket and

the casing hole are located on different sides of the casing; a handwriting input device located outside the casing and communicating with the computer main unit; the computer main unit and the handwriting input device are provided with a transmission interface respectively; nor do Furnas et al. teach the wireless net communication device is connected to a wireless communication system selected from a group of systems consisting of GSM, GPRS, 3G, CDMA, and PHS.

Even if the teachings of Lee, Knox, Chang, Sen et al., and Furnas et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: a cable TV socket located on an exterior thereof and connected to the computer main unit; nor does the combination suggest the cable TV socket and the casing hole are located on different sides of the casing.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Lee, Knox, Chang, Sen et al., or Furnas et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Lee, Knox, Chang, Sen et al., nor Furnas et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new and amended claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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